

REMARKS

DOUBLE PATENTING REJECTIONS OVER US PATENT NO. 5,962,921 TO FARNWORTH ET AL.

Claims 1, 2, 5-12, 17, 18, 25-27, 31 and 32 have been rejected under obviousness-type double patenting as being unpatentable over claims 1-24 of U.S. Patent No. 5,962,921 to Farnworth et al.. These rejections are traversed.

In support of the double patenting rejections, the Office Action states: "Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims are broader than those of U.S. Patent No. 5,962,921."

The above statement in support of the double patenting rejections is not accurate. The claims of the present application include limitations that are not found in the claims of Farnworth et al. '921. Accordingly, the present claims are not broader than the claims of the Farnworth et al. '921. In addition, the breadth of the claims is irrelevant. The issue is whether the claims are obvious or unobvious over the claims of the Farnworth et al. '921.

Applicant submits that the present claims are unobvious over the claims of Farnworth et al. '921. In this regard, independent claims 1 and 25 recite "a plurality of flexible leads cantilevered over the recess configured to support the bumped contact within the recess and to move within the recess by a distance sufficient to accommodate variations in a size, a shape or a planarity of the bumped contact, each lead having a selected spring constant and at least one projection configured to penetrate the bumped contact." The claims of Farnworth et al. '921 neither recite or suggest cantilevered leads having this configuration. Rather as shown in Figures 5 and 6 of Farnworth et al. '921, the leads comprise blades 48D or 48E which are part of the substrate 30D or 30E. These blades 48D and 48E are not flexible, or

cantilevered, and cannot move within a recess to accommodate variations in a size or planarity of a bumped contact.

Independent claims 6 and 31 recite "each lead having a cantilever length, a width, a thickness and a modulus of elasticity selected to provide a desired spring constant, and a shape that substantially matches a topography of the bumped contact." The claims of Farnworth et al. '921 neither recite or suggest cantilevered leads having this configuration.

Independent claim 12 recites "leads on the substrate cantilevered over the recess and configured to support and to electrically engage the bumped contact within the recess, and to move in a z-direction within the recess to accommodate variations in a height or a diameter of the bumped contact, each lead having a radius of curvature substantially equal to a radius of the bumped contact." The claims of Farnworth et al. '921 neither recite or suggest cantilevered leads having this configuration.

DOUBLE PATENTING REJECTIONS OVER US PATENT NO. 5,756,370 TO FARNWORTH ET AL.

Claims 1, 2, 5-12, 17, 18, 25-27, 31 and 32 have been rejected under obviousness-type double patenting as being unpatentable over claims 1-24 of U.S. Patent No. 5,756,370 to Farnworth et al.. These rejections are traversed.

In support of the double patenting rejections, the Office Action states: "Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims are broader than those of U.S. Patent No. 5,756,370."

The above statement in support of the double patenting rejections is not accurate. The claims of the present application include limitations that are not found in the claims of Farnworth et al. '370. Accordingly, the present claims are not broader than the claims of Farnworth et al. '370. In addition, the breadth of the claims is irrelevant.

The issue is whether the claims are obvious or unobvious over the claims of Farnworth et al. '370.

Applicant submits that the present claims are unobvious over the claims of Farnworth et al. '370. In this regard, the claims in Farnworth et al. '370 recite cantilevered metal traces. However, there is no suggestion that the metal traces include projections. There is also no suggestion that the metal traces have a radius of curvature equal to that of a bumped contact, or have a shape that conforms to the topography of a bumped contact. In addition, there is no suggestion of a recess configured to allow cantilevered leads to move by a distance sufficient to accommodate variations in a size shape or planarity of a bumped contact.

35 USC §102 REJECTIONS OVER US PATENT NO. 5,962,921 TO FARNWORTH ET AL.

Claims 6-12, 17, 18, 31 and 32 have been rejected under 35 USC §102(e) as being anticipated by US Patent No. 5,962,921 to Farnworth et al.

The 35 USC §102 rejections over Farnworth et al. '921 are traversed as the Examiner has not established a prima facie case of novelty. Specifically, a proper 35 USC §102 rejection requires that a single reference identically describe each element of the rejected claims. However, the reference has merely been cited without any analysis of the teachings of the references and how they relate to the present claims.

As held in In re Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d, 1443, 1444 (Fed. Cir. 1992), the Examiner bears the initial burden of presenting a prima facie case, and only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant.

The rejections under 35 USC §102 are further traversed because Farnworth et al. '921 does not disclose or suggest all of the presently claimed features. In this regard, a

proper 35 USC §102 rejection must be based on a single reference describing all of the claimed features. Atlas Powder v. E. I. du Pont, 750 F.2d 1569, 224 USPQ 409 (Fed Cir. 1984), Jamesbury Corp. v. Litton Industrial Products, 756 F.2d 1556, 225 USPQ 253 (Fed. Cir. 1985).

However, the feature of "flexible", "cantilevered", leads having a "shape that matches a topography of a bumped contact" as presently claims in independent claims 6 and 31, is not disclosed or suggested by Farnworth et al. '921. In addition, Farnworth et al. '921 does not disclose or suggest the feature of independent claim 12 of "cantilevered" leads "having a radius of curvature substantially equal to a radius of a bumped contact". Further, Farnworth et al. does not disclose or suggest the feature of independent claims 6, 12 and 31 of the leads being able to move in the recess to accommodate variations in the height or diameter of the bumped contact. Rather as shown in Figures 5 and 6 of Farnworth et al. '921, the leads comprise blades 48D or 48E which are part of the substrate 30D or 30E. The blades are not cantilevered or flexible, and cannot move within a recess as presently claimed.

CONCLUSION

In view of the above arguments, favorable consideration and allowance of claims 1, 2, 5-12, 17, 18, 25-27, 31 and 32 is requested. An Information Disclosure Statement is being filed concurrently with this Amendment. Should any issues remain, the Examiner is asked to contact the undersigned by telephone.

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Date of Signature



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